

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

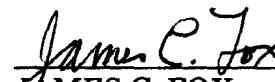
No. 4:09-CR-54-01-F

UNITED STATES OF AMERICA)
)
v.) Order
DONNELL COPPEDGE))
)
Defendant.)

This matter is before the court on Defendant's Motion for Return of Property [DE-118]. In his motion, the Defendant also challenges the sufficiency of the Government's Notice under Title 21 U.S.C. Section 851, and challenges the cocaine to crack ratio used to fashion his sentencing guidelines. [DE-118]. The Government has responded to each of these matters in its response [DE-122]. For the reasons stated therein, in the Government's response, the Defendant's Motion for Return of Property, as well as his other requests, hereby are DENIED.

Both parties are put on notice, however, that the court will inquire into the record of the Defendant prior to pronouncing his sentence, and will expect proof of his prior convictions used to merit the Section 851 enhancement at that time.

SO ORDERED. This the 28th day of May, 2010.



JAMES C. FOX
Senior United States District Judge